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In re Application of

CALVANI, et al.

Application No.: 10/537,057

PCT No.: PCT/IT03/00566

Int. Filing Date: 23 September 2003

Priority Date: 01 October 2002

Atty. Docket No.: 2818-236

For: USE OF PROPIONYL L-CARNITINE FOR THE
PREPARATION OF A MEDICAMENT FOR THE
TREATMENT OF GLAUCOMA

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 02 June 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the delay in prosecuting this case (i.e. filing the declaration and paying the filing fee) was unintentional" is being interpreted to mean that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." If this interpretation is incorrect, applicant must notify the Office immediately. Applicant's statement and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America. Further, a review of the application file reveals that all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States have been satisfied.

The application has an international filing date of 23 September 2003 under 35 U.S.C. 363 and will be given a date of **02 June 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4). This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

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